IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE K.C. BHANU

WRIT PETITION NO : 23791 of 2004

Between:

K.Ananthaiah, s/O.K.KIRITI Rao,

A/39 Years, OCC: Post Graduate Teacher (PGT), A.P. Tribal Welfare Residential Educational

Institutions (APTWREI) Society, Yerragondapalem, Prakasam District

..... PETITIONER

AND

The A.P. Tribal Welfare Residential Educational Institutions (APTWREI)

Society, (GURUKULAM) rep. By its Member Secretary, Telugu

Samkshema Bhavan, Masab Tank, Hyderabad

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus declaring the action of the respondent in not considering the case of the petitioner for promotion to the post of Junior Lecturer (Sanskrit) from the category of PGT Sanskrit though he is fully qualified and eligible as illegal, improper, unjust, arbitrary and contrary to law and further direct the respondent to include the name of the petitioner in the panel and to consider his case for promotion to the post of Junior Lecturer Sanskrit in the existing vacancies under the quota meant for promotees as per the Rules.

Counsel for the Petitioner: Mr.K.G.Krishna Moorthy

Counsel for the Respondents: Mr. G.Chandraiah, S.C. for Tribal Welfrare

The Court made the following :

ORAL ORDER:

The petitioner has filed this writ petition seeking a Mandamus to declare the action of the respondent in not considering the case of the petitioner for promotion to the post of Junior Lecturer (Sanskrit) from the category of P.G.T Sanskrit though he is fully qualified as arbitrary and illegal.

Heard Sri K.G.Krishna Moorthy, learned counsel for the petitioner and Sri G.Chandraiah, learned standing counsel for the respondents and perused the material available on record.

In view of the submissions made by both the counsel, I deem it appropriate to direct the respondent to consider the case of the petitioner also for promotion to the post of Junior Lecturer (Sanskrit) if he is otherwise found eligible whenever the Review D.P.C. (Department Promotion Committee) sits for considering the filling up of the post of Junior Lecturer (Sanskrit). His promotion, if any, is subject to the result of the decision to be taken by this Court in

The writ petition is disposed of in terms of the above direction. In the circumstances of the case, there shall be no order as to costs.

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(K.C. BHANU, J.)

21st December, 2004.

To

1 The A.P. Tribal Welfare Residential Educational Institutions (APTWREI)

Society, (GURUKULAM) rep. By its Member Secretary, Telugu

Samkshema Bhavan, Masab Tank, Hyderabad

2 Two C.Cs. to the government Pleader for Tribal Welfare, High Court Buildings, Hyderabad (OUT)

3 TwoC.D. copies

Note: Furnish copy in two days

(b/o)

bcj